

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

MIKE BURTON AND MARY BURTON,

PLAINTIFFS,

VS.

CIVIL ACTION NO. 4:06CV180-P-B

JENNIFER MCGARRITY,

DEFENDANT.

ORDER

This matter comes before the court upon Defendant's Motion to Dismiss [14-1]. After due consideration of the motion and the response filed thereto, the court finds that the motion should be denied.

IT IS THEREFORE ORDERED AND ADJUDGED that Defendant's Motion to Dismiss [14-1] is **DENIED**.

SO ORDERED this the 15th day of May, A.D., 2007.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE